

Withrow & Terranova

Professional Limited Liability Company

Attorneys At Law
Registered Patent Attorneys

A High Technology Patent Practice

RECEIVED
CENTRAL FAX CENTER

NOV 08 2004

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Examiner Mark A. Fadok	Benjamin S. Withrow, Esq.
COMPANY:	DATE:
USPTO – Art Unit 3625	11/8/2004
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
703-872-9306	3
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
	4989-005
RE:	YOUR REFERENCE NUMBER:
Notice of Appeal	09/802,634

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY ORIGINAL TO FOLLOW

NOTES/COMMENTS:

Please find attached the following items:

- 1) Notice of Appeal (1 page)
- 2) Credit Card Payment Form for \$340.00 (1 page)

NOTE: The information contained in this transmission is privileged and confidential and intended ONLY for the individual or entity named above. If you should receive this transmission in error, please notify our office and return to the below address via the U.S. Postal Service.

201 SHANNON OAKS CIRCLE, SUITE 200

CARY, NC 27511

PH: (919) 654-4520

FAX: (919) 654-4521

PTO/SB/31 (08-03)

Approved for use through 07/31/2005. OMB 0651-0091

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 4989-005				
<p>I hereby certify that this correspondence is being transmitted via facsimile on the date indicated below to:</p> <p>Examiner: <u>Mark A. Fadok</u> Fax Number: <u>703-672-9306</u> Art Unit: <u>3625</u> Date: <u>11/8/04</u></p> <p>Signature </p> <p>Typed or printed name <u>Kelly Farrow</u></p>		<p>In re Application of <u>Shimon S. Shmueli et al.</u></p> <table border="1"> <tr> <td>Application Number <u>09/802,634</u></td> <td>Filed <u>03/09/2001</u></td> </tr> </table> <p>For ACCOUNT PORTABILITY FOR COMPUTING</p> <table border="1"> <tr> <td>Art Unit <u>3625</u></td> <td>Examiner <u>Fadok, Mark A.</u></td> </tr> </table>	Application Number <u>09/802,634</u>	Filed <u>03/09/2001</u>	Art Unit <u>3625</u>	Examiner <u>Fadok, Mark A.</u>
Application Number <u>09/802,634</u>	Filed <u>03/09/2001</u>					
Art Unit <u>3625</u>	Examiner <u>Fadok, Mark A.</u>					
<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 1.17(b)) <u>\$ 340.00</u></p> <p> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <u>\$ _____</u> </p> <p> <input type="checkbox"/> A check in the amount of the fee is enclosed. </p> <p> <input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. </p> <p> <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. </p> <p> <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>50-1732</u>. I have enclosed a duplicate copy of this sheet. </p> <p> <input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. </p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>I am the</p> <p> <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) <input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>40,876</u>. <u>919-654-4520</u> Telephone number <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(b). <u>November 8, 2004</u> Date </p> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p> <p><input type="checkbox"/> *Total of _____ forms are submitted.</p>						

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the gathering, preparing, and submitting the completed application form to the USPTO, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

11/09/2004 AWONDAF1 00000068 09802634

01 FC:1401

340.00 0P